

HOUSE BILL 1897

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, Part 22, relative to textbooks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49-6-2201, is amended by deleting the section in its entirety and substituting instead the following:

49-6-2201.

(a) There is created a state textbook commission composed of ten (10) members, nine (9) of whom shall be appointed by the governor.

(b)

(1) No more than five (5) of the members of the commission shall be educators of high qualifications who are actually engaged in educational work in the state, and whose educational qualifications shall not be less than graduation from a four-year college with a bachelor's degree, and with at least five (5) years of teaching, supervisory or administrative experience.

(2) One (1) of these members shall be an administrative official in a school system, one (1) a teacher or supervisor in the lower grades, grades one to three (1-3), inclusive, one (1) a teacher or supervisor in the intermediate grades, grades four to eight (4-8), inclusive, and one (1) member shall be a teacher or supervisor of upper grade subjects, grades nine to twelve (9-12), inclusive.

(3) Five (5) of the members of the commission shall be citizens of this state who are not employed in the educational system of this state but who are knowledgeable about subject matter relevant to one or more of the following

topics: English, Math, Science, United States History and Government, Business and economics, or manufacturing crafts.

(4) One (1) member shall be the commissioner of education, ex officio.

(5) At least two (2) members of the commission shall be appointed from east Tennessee, two (2) from middle Tennessee and two (2) from west Tennessee.

(c) The terms of the members of the commission shall be three (3) years. Three (3) members shall be appointed every year except on each third year four (4) members shall be appointed, so that approximately one third (1/3) of the commission is replaced, each year. The governor shall fill any vacancy by appointment for an unexpired term. Each appointment shall expire on December 31 of the third year of their term.

(d) The commissioner shall be ex officio secretary of the commission, with the right to vote, and shall serve without additional compensation for such service.

(e) At the first regular meeting in each calendar year, the members of the commission shall elect a chair for one (1) year.

(f) Before beginning the discharge of their duties, it shall be the duty of each member of the commission to take and subscribe to the following oath: "I do hereby declare that I am not now directly or indirectly financially interested in, or employed by, any textbook publisher or agency, and that I will not become directly or indirectly financially interested in any of the proposed contracts, nor in any book, nor in any publishing concern handling or offering any books or other publications to the commission, of which I am a member, for listing and adoption, and I do hereby promise that I will act honestly, faithfully and conscientiously, and in all respects will discharge my duty as a member of this commission to the best of my skill and ability."

(g)

(1) No member of the commission shall receive any gift, reward, present or emolument from any author, publisher or distributor of such book or books except copies of books offered for listing and adoption.

(2) No member or employee of the commission shall accept any employment as agent, attorney, subagent, employee or representative of any author, publisher or distributor of such books during the person's term of service on the commission nor within twelve (12) months after the expiration of the person's term of office.

(3) No author, publisher, or agent, attorney, employee or representative of any author, publisher or distributor shall give any present, reward, gift or emolument to any member of the commission, nor make any offer of employment to the member of the commission during the member's term of service, whereby the member is to become the agent, employee, attorney or representative of the author or publisher.

(h)

(1) Each member of the commission shall receive for services fifteen dollars (\$15.00) a day for attendance upon all regular and called meetings of the commission and, in addition, shall be allowed necessary traveling expenses.

(2) All reimbursement for travel expenses shall be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(3) All textbooks shall be made available to any member of the commission at any time at the expense of the commission, and to any citizen of Tennessee at the citizen's expense, without delay upon request.

(i)

(1) The commission shall have two (2) regular meetings each school year to be held on the dates determined and announced by the commission.

(2) The commission may have as many special meetings as it deems necessary; provided, that in no case shall any member or members of this commission receive traveling expenses for more than three (3) special meetings in one (1) school year.

(3) Notice of the call for the special meetings shall be made by the secretary of the commission ten (10) days in advance of the date set for the special meeting.

(4) All meetings shall be held in the office of the commissioner, or at such place as designated by the commission.

(j) The commission, through its chair, may appoint an advisory panel of expert teachers or subject matter experts in each subject area or grade level to advise the commission on book selections. The advisory panelists shall individually make their recommendations and may be convened upon the call of the chair of the commission, or upon their own initiative. If convened at the call of the chair, the panelists may be reimbursed from funds available to the commission for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.